

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHELLE LYNCH,

Defendant.

Criminal Action No. 08-26-GMS

WAIVER OF INDICTMENT

1. I, Michelle Lynch, the above named defendant, who is accused of violating 18 U.S.C. § 1343 (wire fraud), being advised of the nature of the charge and of her rights, hereby knowingly, voluntarily and intelligently waives prosecution by Indictment and consents that the proceeding may be by information instead of by Indictment.

2. The defendant understands that (a) unless she waives Indictment, she could not be charged with these offenses unless the Grand Jury found probable cause to believe she committed the offenses and returned an Indictment; (b) the Grand Jury is composed of at least sixteen, but not more than twenty-three lay persons, and at least twelve of those Grand Jurors must find probable cause to believe that the defendant committed these offenses before an Indictment could be returned; and (c) by waiving Indictment, the Government will be proceeding by a document written by the United States Attorney and called an Information and the defendant will be prosecuted on that Information, rather than on an Indictment.

3. The defendant has read and reviewed with her counsel the charge in the Information, and is satisfied that her counsel has properly explained the charges and this Waiver to her.

4. No one has made the defendant any promises or threatened or forced the defendant to waive Indictment.

Michelle Lynch
Defendant
Ken [Signature]
Counsel for Defendant

Date: 2/29/08

